

Document Page 1 of 1
IN THE UNITED STATES BANKRUPTCY COURT
District of Nebraska

In the Matter of:	}	Case No. BK09-81063
	}	
Richard Allen Magni, Sr.	}	
Tammy Lynn Magni	}	Chapter 13
	}	
Debtor(s)	}	

RESISTANCE TO THE MOTION FOR RELIEF FROM THE
AUTOMATIC STAY FILED BY US BANK, N.A.

COME NOW the Debtors, Richard and Tammy Magni, Sr., through the undersigned, and move the Court to overrule the Motion for Relief filed by US Bank, N.A. In support of this resistance, the Debtors state as follows:

1. The Debtors do not dispute that they are behind on their post-petition mortgage payments. However the Debtors state that they have made a partial payment in December 2009.
2. The Debtors further dispute the "legal invoices" charges in US Bank's Motion for Relief.
3. The Debtors, via the undersigned, have inquired said creditor regarding these charges several times and, to date, have not received an explanation regarding these charges.
4. Upon clarification of these charges, Debtors believe this matter can be resolved via Stipulation.

WHEREFORE, the Debtors move the Court to overrule the Motion for Relief from the Automatic Stay filed by US Bank, N.A., and for such other relief as may be just and proper.

DATED: April 2, 2010

Richard & Tammy Magni, Sr., Debtor(s).

By: /s/ Trinh P. Tran
Trinh P. Tran, #20172
Attorney for Debtor:
P.O. Box 390091
Omaha, NE 68139-0091
(402) 884-4381

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent via CM/ECF to Paul LaPuzza, the UST and the Chapter 13 Trustee on April 2, 2010:

/s/ Trinh P. Tran